

House File 2647 - Enrolled

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HOUSE FILE 2647

AN ACT
RELATING TO AND MAKING APPROPRIATIONS TO THE JUDICIAL BRANCH.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. JUDICIAL BRANCH.

1. There is appropriated from the general fund of the state to the judicial branch for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, state court administrator, clerk of the supreme court, district court administrators, clerks of the district court, juvenile court officers, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission; receipt and disbursement of child support payments; reimbursement of the auditor of state for expenses incurred in completing audits of the offices of the clerks of the district court during the fiscal year beginning July 1, 2008; and maintenance, equipment, and miscellaneous purposes: \$144,745,322

2. The judicial branch, except for purposes of internal processing, shall use the current state budget system, the state payroll system, and the Iowa finance and accounting system in administration of programs and payments for services, and shall not duplicate the state payroll, accounting, and budgeting systems.

3. The judicial branch shall submit monthly financial statements to the legislative services agency and the department of management containing all appropriated accounts in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of administrative services. The monthly financial statements shall include a comparison of the dollars and percentage spent of budgeted versus actual revenues and expenditures on a cumulative basis for full-time equivalent positions and dollars.

4. The judicial branch shall focus efforts upon the collection of delinquent fines, penalties, court costs, fees, surcharges, or similar amounts.

5. It is the intent of the general assembly that the offices of the clerks of the district court operate in all 99 counties and be accessible to the public as much as is reasonably possible in order to address the relative needs of the citizens of each county.

6. The judicial branch shall continue studying the best practices and efficiencies of each judicial district. In identifying the most efficient judicial districts and the districts using best practices, the judicial branch shall consider the average cost to the judicial branch for processing each classification of criminal offense or civil action and the overall number of cases filed. In addition, and as part of the best practices and efficiencies study, the judicial branch shall study the number of judicial officers needed throughout the state to manage current caseloads and anticipated caseloads in the future, and shall make recommendations, if any, as to changes in judgeship and magistrate apportionment formulas in sections 602.6201, 602.6301, and 602.6401. The judicial branch shall file a report regarding the study made, recommendations presented, and actions taken pursuant to this subsection with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and to the legislative services agency by January 1, 2009.

7. In addition to the requirements for transfers under section 8.39, the judicial branch shall not change the appropriations from the amounts appropriated to the judicial branch in this Act, unless notice of the revisions is given

3 4 prior to their effective date to the legislative services
3 5 agency. The notice shall include information on the branch's
3 6 rationale for making the changes and details concerning the
3 7 workload and performance measures upon which the changes are
3 8 based.

3 9 8. The judicial branch shall submit a semiannual update to
3 10 the legislative services agency specifying the amounts of
3 11 fines, surcharges, and court costs collected using the Iowa
3 12 court information system since the last report. The judicial
3 13 branch shall continue to facilitate the sharing of vital
3 14 sentencing and other information with other state departments
3 15 and governmental agencies involved in the criminal justice
3 16 system through the Iowa court information system.

3 17 9. The judicial branch shall provide a report to the
3 18 general assembly by January 1, 2009, concerning the amounts
3 19 received and expended from the enhanced court collections fund
3 20 created in section 602.1304 and the court technology and
3 21 modernization fund created in section 602.8108, subsection 7,
3 22 during the fiscal year beginning July 1, 2007, and ending June
3 23 30, 2008, and the plans for expenditures from each fund during
3 24 the fiscal year beginning July 1, 2008, and ending June 30,
3 25 2009. A copy of the report shall be provided to the
3 26 legislative services agency.

3 27 10. The judicial branch is encouraged to purchase products
3 28 from Iowa state industries, as defined in section 904.802,
3 29 when purchases are required and the products are available
3 30 from Iowa state industries. The judicial branch shall obtain
3 31 bids from Iowa state industries for purchases of office
3 32 furniture during the fiscal year beginning July 1, 2008,
3 33 exceeding \$5,000.

3 34 Sec. 2. JUDICIAL RETIREMENT FUND.

3 35 1. There is appropriated from the general fund of the
4 1 state to the judicial retirement fund for the fiscal year
4 2 beginning July 1, 2008, and ending June 30, 2009, the
4 3 following amount, or so much thereof as is necessary, to be
4 4 used for the purpose designated:

4 5 Notwithstanding section 602.9104, for the state's
4 6 contribution to the judicial retirement fund in the amount of
4 7 30.6 percent of the basic salaries of the judges covered under
4 8 chapter 602, article 9:

4 9 \$ 3,450,963

4 10 2. There is appropriated from the revolving fund created
4 11 in section 602.1302 to the judicial retirement fund for the
4 12 fiscal year beginning July 1, 2008, and ending June 30, 2009,
4 13 the following amount, or so much thereof as is necessary, to
4 14 be used for the purposes designated:

4 15 As part of the state's contribution to the judicial
4 16 retirement fund in accordance with the conditions specified in
4 17 subsection 1:

4 18 \$ 2,500,000

4 19 3. There is appropriated from the court technology and
4 20 modernization fund established in section 602.8108, subsection
4 21 7, for the fiscal year beginning July 1, 2008, and ending June
4 22 30, 2009, the following amount, or so much thereof as is
4 23 necessary, to be used for the purposes designated:

4 24 As part of the state's contribution to the judicial
4 25 retirement fund in accordance with the conditions specified in
4 26 subsection 1:

4 27 \$ 1,674,663

4 28 Sec. 3. POSTING OF REPORTS IN ELECTRONIC FORMAT ==
4 29 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
4 30 required to be provided by the judicial branch for fiscal year
4 31 2008=2009 to the legislative services agency shall be provided
4 32 in an electronic format. The legislative services agency
4 33 shall post the reports on its internet web site and shall
4 34 notify by electronic means all the members of the joint
4 35 appropriations subcommittee on the justice system when a
5 1 report is posted. Upon request, copies of the reports may be
5 2 mailed to members of the joint appropriations subcommittee on
5 3 the justice system.

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PATRICK J. MURPHY
Speaker of the House

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JOHN P. KIBBIE
President of the Senate

5 15 I hereby certify that this bill originated in the House and
5 16 is known as House File 2647, Eighty=second General Assembly.

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5 20 _____
5 21 MARK BRANDSGARD
5 21 Chief Clerk of the House

5 22 Approved _____, 2008

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5 26 CHESTER J. CULVER
5 27 Governor